Motion DENIED.

20¹⁵ This the 4th day of May

/s/Louise W. Flanagan, U.S. District Judge

OF HON WILLIAM A WEBD, USMS, to ry Such menty M&R, Per Such to FiRE, P edules Concedments by R. Tendents amissions R., v. Plaintiff, vs. ALBERT SINGER, et al., Defendants. URT FOR THE EASTERN DISTRICT OF NORTH CAROLINA, WESTERN DIVISION 2008 U.S. Dist. LEXIS 124113

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Adopted by, Dismissed by Davis v. Singer, 2008 U.S. Dist. LEXIS 53274 (E.D.N.C., July 14, 2008)

NO. 5:08-CV-186-FL(3) April 22, 2008, Decided April 22, 2008, Filed

William Scott Davis, Jr., Plaintiff, Pro se, Hampton, VA.

Judges: William A. Webb, U.S. Magistrate Judge.

Opinion

Opinion by:

William A. Webb

Opinion Illesel Child Family Forence Freudules | Fabrication or Evide 06 cns 77240-00) 07 ers 057 657, 1 lessel Scheme of ADA Melen A. MEMORANDUM AND RECOMMENDATION Shikty, Cary Police Michelle Saves

Plaintiff has filed an application to proceed in forma paupers. He has demonstrated appropriate evidence of inability to pay the required court costs. However, the Court must also conduct a review pursuant to 28 U.S.C. §§ 1915(e)(2) which requires the Court to dismiss all or any part of an action found to be frivolous or malicious, which fails to state a claim upon which relief can be granted, or which seeks money damages from a defendant immune from such recovery. See Cochran v. Morris, 73 F.3d 1310, 1315-16 (4th Cir. 1996)(discussing sua sponte dismissal under predecessor statute 28 U.S.C. § 1915(d)). A case is frivolous if it lacks an arguable basis in either law or fact. See Neitzke v. Williams, 490 U.S. 319, 325, 109 S. Ct. 1827, 104 L. Ed. 2d 338 (1989). For the following reasons the undersigned recommends that Plaintiff's Complaint be found insufficient to survive review under 28 U.S.C. § 1915(e)(2).

Where For Plaintiff pray the court Great Plaintiff Tim or exhibin In corporated by References New Pisco van Enderes US con y'Cir 14-1916 (a) 13-2505, 13-25523-, Whish Blower Flows Illestin Beini Reldelady Vindictive Beletin prosecution by WAKE CONTY MUNICIPI SEVER MENT Afform Sydney Britch, US DE ED NC WD Freet French on Cearl M. A.S. M. W. S. S.B. 5114CTS 7010 1F(4) In Re US DCED M. NPN DINISION 4:13-CV-55-4:13cm-7

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